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IN ALEXANDRIA, LA.

FEB 29 2012

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

TONY R. MOORE, CLERK  
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PATRICK BASS

CIVIL ACTION NO. 11-1773

VERSUS

JUDGE TRIMBLE

RICARDO MARTINEZ, WARDEN

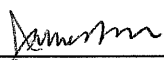
MAGISTRATE JUDGE KIRK

**J U D G M E N T**

Before the court is the report and recommendation of the magistrate judge, filed in the above-captioned case, as well as the objections of the petitioner and the response of the government to such objections. The court has reviewed the entire record in this case and finds that petitioner's Section 2241 habeas corpus petition should be and is hereby

**DENIED** and **DISMISSED** with prejudice based upon the court's finding that, although petitioner has exhausted his administrative remedies with respect to the issue of whether or not credit for presentence time served in state prison should be applied to his federal sentence, petitioner is not entitled to such relief. As expressed in the government's response to petitioner's objections, once petitioner is transferred to the custody of the State of Pennsylvania to serve his remaining state sentence, any credit for presentence confinement will be applied by the state to such remaining sentence.

**THUS DONE AND SIGNED** in chambers at Alexandria, Louisiana this 29<sup>th</sup> day of February, 2012.

  
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**JAMES T. TRIMBLE, JR.**  
**UNITED STATES DISTRICT JUDGE**